

### REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 10-18 have been canceled in favor of new claims 19-27. Support for the subject matter of the new claims is provided in canceled claims 10-18, Fig. 3, and the description accompanying Fig. 3 in the specification. The amendments are presented in response to the comments provided in the Final Rejection on page 4, lines 9-12.

Claims 10-18 were rejected, under 35 USC §103(a), as being unpatentable over Akaiwa et al. (US 5,710,995) in view of Scherzer (US 6,347,234) and Kohno et al. (US 6,763,062). The Applicants respectfully traverse these rejections based on the following points.

The Final Rejection proposes that the features relied upon in the Applicants' Response, dated January 5, 2006, for distinguishing the claimed invention from the teachings of the applied references, were not recited in claims 10-18 (see Final Rejection, page 4, lines 9-12). The Applicants respectfully submit that the subject matter defined by new claims 19-27 has remedied this issue.

New claim 19 recites: (1) a reception method selector that provides radio waves to either a directional receiver or a diversity receiver that is selected in accordance with a detected fading correlation of the radio waves and (2) that only the selected receiver executes a reception operation, corresponding to the type of the selected receiver, on the provided radio waves. More specifically, if a directional receiver is selected to receive the provided radio waves, then only directional reception is executed on the radio waves, and if a diversity receiver is selected to receive the provided radio waves, then only diversity reception is executed on the radio waves. The claimed subject matter supports the advantages of: (1) applying an appropriate type of receiver for the existing channel conditions and (2) reducing the power consumption of the radio apparatus.

The Final Rejection does not propose that the applied references suggest the above-mentioned features. Instead, the Final Rejection only proposes that these features were not specifically recited in claims 10-18. Thus, the Final Rejection's: (1) acknowledged notice that Applicants were relying on these features to distinguish their claims and (2) failure to counter Applicants' argument that these features are not suggested by the applied references provide implied

acknowledgment that the teachings of the applied references do not suggest these features.

The Applicants reiterate below their previous arguments as they apply to the Final Rejection.

The Final Rejection proposes that Akaiwa discloses, in Fig. 1, a directional reception processing circuit 13 and a diversity reception processing circuit 14 (see Final Rejection section 1, lines 9-12). The Final Rejection further proposes that a selection circuit 18 selects either directional reception processing circuit 13 or diversity reception processing circuit 14 to receive a communicated signal in accordance with a fading correlation detected by a signal quality monitor circuit 17 (section 1, lines 4-7).

However, as disclosed by Akaiwa, signal quality monitor circuit 17 monitors an output signal provided by each of processing circuits 13 and 14 to determine which signal has better quality (Akaiwa col. 2, lines 33-37). As a result, both processing circuits 13 and 14 must perform reception processing so that signal quality monitor circuit 17 may compare their respectively processed signals to determine which provides better quality.

Thus, Akaiwa does not disclose the claimed feature of a selector that provides radio waves to either a directional

receiver or a diversity receiver in accordance with a detected fading correlation of the radio waves. Instead, processing circuits 13 and 14 always receive the radio waves provided by antenna elements 11 and 12. Additionally, Akaiwa does not disclose the claimed feature of executing a reception operation using only the receiver selected to receive the radio waves. Instead, Akaiwa discloses that both processing circuits 13 and 14 must perform reception processing on the signal received by antenna elements 11 and 12.

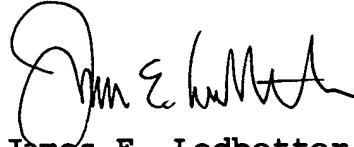
Scherzer and Kohno do not cure the deficiencies of or supplement the teachings of Akaiwa with respect to the above-mentioned features and advantages distinguishing independent claim 19 from Akaiwa.

Accordingly, the Applicants respectfully submit that the applied references do not teach or suggest the subject matter defined by claim 19. Independent claim 26 similarly recites the above-mentioned features distinguishing apparatus claim 19 from the applied references, but with respect to a method. Therefore, allowance of claims 19 and 26 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Ledbetter". The signature is fluid and cursive, with a large initial "J" and "L".

James E. Ledbetter  
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Date: May 31, 2006  
JEL/DWW/att

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